

DEPARTMENT OF SOCIAL SERVICES

744 P Street, Sacramento, CA 95814



February 22, 1983

ALL-COUNTY LETTER NO. 83-09

TO: All County Welfare Directors

SUBJECT: Transmittal of Sponsorship Failure Data; Records Retention; Alien Status Verification (Form CA 6); Date of Entry/Date of Release

REFERENCE: MPP Section 69-204, 26; Telegram of November 26, 1980; All-County Letters No. 81-39, 82-15, 82-25 and 82-83; All County Information Notice I-96-82

This letter is being issued to relay the following clarification for the Refugee Resettlement Program (RRP) and the Cuban/Haitian Entrant Program (CHEP).

Transmittal of Sponsorship Failure Data

MPP Section 69-204.26 has become outdated; therefore, the requirement to notify the Department of Social Services (DSS) in cases in which a refugee or entrant has applied for aid shortly after arrival or Immigration and Naturalization Service (INS) release, whichever is appropriate, is being rescinded in the revised regulations. The revised regulations are scheduled to be implemented on April 1, 1983. This information is no longer being transmitted to the Federal Office of Refugee Resettlement; therefore, the County may choose not to transmit the information to DSS. It has already been determined that most recent refugees and entrants are applying for assistance shortly upon arrival in the Country.

Records Retention

Refugee Resettlement Program (RRP) and Cuban/Haitian Entrant Program (CHEP) records meet the definition of welfare records. MPP Section 23-350, which addresses the retention period for welfare records and ACL 82-15, dated February 19, 1982, which addresses the court issued preliminary injunction in the case of Welfare Recipients League v. Woods (Immediate Need) are to be applied to RRP and CHEP welfare records. MPP Section 69-111.1 applied only to Cuban Refugee Program (CRP) records. CRP was phased-out and no longer exists as a welfare program. Do not apply MPP Section 69-111.1 to RRP and CHEP welfare records.

Alien Status Verification (Form CA 6)

The requirement to submit a copy of the Alien Status Verification (CA 6) Form to the State Department of Social Services (DSS), Office of Refugee Services for both refugees and entrants is hereby rescinded with the issuance of this letter. AFDC Program regulations shall be used in complying with current CA 6 requirements for eligibility purposes to AFDC, RRP and CHEP. Medi-Cal regulations shall be used in determining eligibility for Medi-Cal only.

Date of Entry/Date of Release

Eligibility for Federal Office of Refugee Resettlement (ORR) reimbursement for RRP purposes is based on the refugee's date of arrival to the United States, as verified by acceptable INS documentation. Eligibility for children born of refugee parents in the United States is addressed in All-County Letter No. 82-83.

Eligibility for ORR reimbursement for CHEP purposes is based on the entrant's date of release from INS custody, including entrant children born in the United States as verified by acceptable INS documentation. This special control date for entrants is due to the fact that these individuals did not enter the United States under the authority of the Refugee Act of 1980, but chose to enter the United States illegally and were detained by INS authorities. However, the Refugee Education Assistance Act of 1980 provides special funding for these individuals. Time spent in initial INS custody is not applied toward the individual's time-eligibility period for CHEP benefits. Therefore, use only the date of parole if both the date of entry and date of parole are shown on the INS documentation for Cuban/Haitian Entrants.

Acceptable INS documentation is normally INS Form I-94; however, INS may issue form letters or other documentation to certain refugees/entrants verifying the individual's current or prior INS status if Form I-94 has been lost or has been surrendered to INS in the application for Permanent Resident (Form I-151 or I-551) status.

Questions regarding AFDC Program policies should be directed to your AFDC Program Consultant at (916) 445-4458. Questions regarding Medi-Cal eligibility under RRP or CHEP should be directed to your Medi-Cal Program Consultant at (916) 445-1797. Questions regarding RRP or CHEP policies should be directed to your CWD Operations Bureau Consultant at (916) 322-3141 or (415) 557-8588, as appropriate.

Sincerely,



R.E. REICH
Chief Deputy Director

cc: CWDA
ORR-SF